

APPEAL NO. 020765
FILED APRIL 30, 2002

This appeal arises pursuant to the Texas Workers' Compensation Act, TEX. LAB. CODE ANN. § 401.001 *et seq.* (1989 Act). A contested case hearing was held on March 8, 2002. The hearing officer resolved the sole issue before him by determining that the appellant's (claimant) compensable injury of _____, does not extend to and include cubital tunnel syndrome (CuTS) of her left elbow or carpal tunnel syndrome (CTS) of her left wrist. The claimant appealed on sufficiency grounds. The respondent (carrier) responded, urging affirmance.

DECISION

Affirmed.

"Compensable injury" is defined in Section 401.011(10). It is undisputed that the claimant sustained a compensable repetitive trauma injury on _____, while performing her job duties at her employer's plant. The diagnosis, as indicated in the medical records which were submitted into evidence, was left lateral epicondylitis of the left elbow. The issue before the hearing officer regarded the extent of the compensable injury. Conflicting evidence was presented regarding the extent of the compensable injury. The hearing officer is the sole judge of the weight and credibility of the evidence. Section 410.165(a). As the finder of fact, the hearing officer resolves the conflicts in the evidence and determines what facts have been established from the evidence presented. The weight to be given to the claimant's testimony and the conflicting medical opinions was for the hearing officer to determine as the finder of fact. We have held that the question of the extent of injury is a question of fact for the hearing officer. Texas Workers' Compensation Commission Appeal No. 93613, decided August 24, 1993. The hearing officer's decision that the claimant's compensable injury does not extend to and include CuTS or CTS is supported by sufficient evidence and is not so against the great weight and preponderance of the evidence as to be clearly wrong and unjust.

The hearing officer's decision and order are affirmed.

The true corporate name of the insurance carrier is **FIRE AND CASUALTY INSURANCE COMPANY OF CONNECTICUT** and the name and address of its registered agent for service of process is

**CORPORATION SERVICES COMPANY
800 BRAZOS
AUSTIN, TEXAS 78701.**

Susan M. Kelley
Appeals Judge

CONCUR:

Gary L. Kilgore
Appeals Judge

Philip F. O'Neill
Appeals Judge